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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/714,846	11/18/2003	Takao Kuwabara	Q78505	3166

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SUITE 800
WASHINGTON, DC 20037

EXAMINER

GRANT II, JEROME

ART UNIT	PAPER NUMBER
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2625

MAIL DATE	DELIVERY MODE
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02/05/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/714,846

Applicant(s)

KUWABARA, TAKAO

Examiner

Jerome Grant II

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,3,5 and 7 is/are rejected.
- 7) ☒ Claim(s) 2,4,6 and 8-17 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date 11/03;4/06;8/04.

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date. ____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____

Detailed Action

1.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3 and 5 are rejected under 35 U.S.C. 102(e) as being anticipated by Foote (7,260,258).

With respect to claim 1, Foote teaches an image data creating method (described at figures 5 and 6) for creating image data representing a single complete image (figure 2) by combining a plurality of image data groups (source region A, source region B of figure 1), each representing a portion of the image with a common region being shared with each other (see region 333sr), wherein said image data representing said completed image (figure 2) are created by adopting either of a plurality of image data belonging to said respective image data groups (source region A of source image A, source region b of source image B) and representing the same position in said common region 333sr of said complete image 333 as the image data representing each of the positions in said common region.

With respect to claim 3, Foote teaches an image data creating apparatus (see figure 9) for creating image data representing a single complete image by combining a plurality of image data groups) for creating image data representing a single complete image (figure 2) by combining a plurality of image data groups (source region A, source region B of figure 1), each representing a portion of the image with a common region being shared with each other (see region 333sr), wherein said image data representing said completed image (figure 2) are created by adopting either of a plurality of image data belonging to said respective image data groups (source region A of source image A, source region b of source image B) and representing the same position in said common region 333sr of said complete image 333 as the image data representing each of the positions in said common region.

With respect to claim 5, Foote teaches an image data creating method (see figures 5 and 6 for creating image data representing image information carried by an image carrier (cameras (1-n) by detecting the light emitted from said image carrier with a linear detecting means formed of a plurality of sensors (inherent sensors in each camera) disposed in the main scanning direction such that the light receiving sections disposed on the end portion of each of said plurality of sensors detect the light emitted from the same position of the image carrier in duplicate (cameras take overlapping images – hence images are duplicated in sensing, see also col. 7, lines 17-40). Foote teaches wherein said image representing said complete image information are created

by adopting the image data obtained by either of the light receiving sections of said plurality of sensors that have detected the light emitted from the same position in duplicate as the image data representing the position in the light therefrom has been detected, see col. 7, lines 17-40 with teaches multiple cameras which inherently has sensors for detecting light of the same image in duplication in that the images are overlapped with respect to one another.

2.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Foote in view of Masatake (JP2002057860).

Foote teaches an image data creating apparatus (see figure 9) comprising: an image data creating means (processor 400, shown by figure 9) for creating image data representing image information carried by said image carrier based on the image data obtained by said linear detecting means and wherein the image data creating means comprises an image data selection means (processor 402) for selecting the image data obtained by either of the light receiving sections of the plural sensors (cameras 1-n) that have detected the light emitted from the same position in duplicate as the image data representing the position the light therefrom has been detected in duplicate (overlapping cameras, and the image data representing said complete image information, see fig 2., which are created by adopting the image data selected by said image data selecting means as the image data representing the position the light

therefrom has been detected by said light receiving sections of said plurality of sensors.
in duplicate.

What is not provided by Foote is the linear detector and the means for scanning
in the sub-scan direction.

Foote teaches that cameras 1-n are linearly arrayed but there is no discussion of
the sub-scanning direction.

Masatake teaches CCDs 1 and 2 that are overlapping and supported by a
carriage means 1 so that the carriage and sensors move in the subscan direction, as
shown by figures 1b and 1c.

Since the use of linear arrays moving in the subscanning direction are well
known, it would have been obvious to one of ordinary skill in the art to replace cameras
1-n with the overlapping CCD structure of Masatake to provide linear arrays to move in
the subscanning direction for forming a plurality of images.

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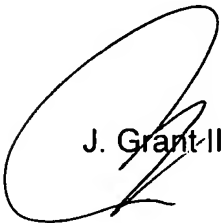
Page 7

3.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerome Grant II whose telephone number is 571-272-7463. The examiner can normally be reached on Mon.-Fri. from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles, can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



J. Grant II